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Prosecution anxiously awaits Whitworth verdict

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SAN FRANCISCO — In his last, impassioned plea to the jury, prosecutor William A. Farmer called the espionage by the Walker spy ring "the biggest hemorrhage in the history of this country of military secrets."

The seven women and five men on the jury filed out of the courtroom July 11 to ponder what other government officials said was the most damaging spy ring since Julius and Ethel Rosenberg gave secrets of the atom bomb to the Soviet Union and were executed in 1953.

They still are pondering. The jury adjourned Friday without a verdict after six days of deliberation in the case of Jerry A. Whitworth, alleged by the government to be the chief thief in this burglary of Navy secrets.

The jury's delay has made prosecutors increasingly anxious. The government spared no costs to present a strong case, and prosecutors expected a quick verdict to affirm the charges. For as Mr. Farmer acknowledged in his closing statement, this has been a show trial intended to demonstrate that the government will deal harshly with espionage, just as the number of spy cases seems to be proliferating.

Prosecutors refused to plea bargain with Mr. Whitworth; they went to painstaking effort to detail the extent and harm of his alleged espionage; and finally Mr. Farmer exhorted the jury to convict on the maximum charges, carrying terms of life imprisonment, and thereby to "put the label of 'traitor' on Jerry Whitworth's forehead."

From the 3½ months of testimony in which the government laid bare the operation of the spy ring, it appeared that the damage caused by John A. Walker and his recruits was more the result of persistent and voluminous accumulation than from the compromising of any particularly crucial secret. There was no testimony that any of the leaks had caused a Soviet response, had tilted the Cold War balance or had altered the cat-and-mouse war maneuvers the navies of both superpowers routinely practice on the seas.

But for the 16 years during which the Walker spy ring operated, it was a virtual funnel of the day-to-day communications of the Navy warships on which Walker, later Mr. Whitworth, and later still Michael Walker, his son, were stationed.

The Walkers testified, and Mr. Whitworth's lawyer admitted, that the sailors routinely copied the secret and top-secret messages that passed between ships. John Walker and Mr. Whitworth became adept at using miniature cameras to photograph the cryptographic codes that could have been used to decipher the fleet's radio transmissions, John Walker testified.

Although the Soviets often did not get the film for six to 18 months, the codes could have been applied to previously recorded transmissions. Navy and intelligence officials testified that the resulting intimate glimpse of the day-to-day operation of the fleet would be invaluable to an enemy.

Why Mr. Whitworth would become involved — in fact, according to prosecutors, he became the linchpin — in such a spy operation remained an enigma throughout the trial. It seemed out of character with the portrait that emerged of the serious, conscientious sailor who was proud of his work and seemed to have no political passions nor grudges to bear.

Mr. Whitworth, 46, did not testify to try to explain the riddle. Prosecutors suggested he blithely began spying in order to satiate a thirst for middle-class materialism, in order to afford stereos and video recorders and computers and his-and-her motorcycles.

But for the money, the Navy had given Mr. Whitworth what he wanted: his chance to escape the small, rural town he grew up in, and a ticket to travel and learn about the world. The son of an alcoholic father, Mr. Whitworth was raised by his uncle in tiny Muldrow, Okla., and he joined the Navy Reserve in his last years in high school because he wanted to get out of "the bottoms" and get an education, according to a family friend, Beulah O. Watts.

"Lord, I praised him for having that attitude," she testified at the trial. And Mr. Whitworth seemed

pleased with his choice, gradually gaining seniority in the "radio shack" that is often the choicest assignment at Navy bases and ships.

In 1970, Mr. Whitworth was assigned to teach new radiomen at San Diego, and there he met another instructor, John Walker. He and "Johnny" became best friends, Walker testified. Other acquaintances saw it as an odd friendship. Where Mr. Whitworth seemed a thoughtful, sensitive person, shipmates testified that Walker was obnoxious and boastful; in the words of one, "a real ding-dong."

But Walker also had a flashy lifestyle for a sailor. He owned a sailboat — "The Dirty Old Man" — had a pilot's license, cash to spare, and a stable of women around him, even when he was married.

Walker was handy with gifts for those women, a fact prosecutors say impressed Mr. Whitworth, who was then coaxing around an old Volkswagen and who sometimes did not have enough money for a date. Prosecutors say Mr. Whitworth envied Walker's lifestyle.

It was 1974 in Boom Trenchard's Flair Path, a San Diego saloon, that Mr. Whitworth, according to testimony at the trial, learned how his Navy buddy could afford that lifestyle and was offered a chance to get in on the deal.

Walker began selling classified information stolen from radio rooms in 1968. That year, angry at marital problems and believing that more money would solve them, Walker strode into the Soviet Embassy in Washington and offered to be a spy.

For six years, he routinely siphoned crypto codes and top secret messages for delivery to the Soviets in return for a monthly stipend, usually about \$2,000. But by 1974 Walker was looking for a partner to split up the task. He "pitched" his friend, Mr. Whitworth: Walker would retire from the Navy and handle the delivery to the buyers, whom Walker said he did not name, if Mr. Whitworth would stay in the Navy to provide a regular supply of documents.

Mr. Whitworth agreed, his lawyer admits. He got a \$4,000 "advance" from his friend, and a few months later he wrote from his new duty station at a radio post in the Indian Ocean that he had "made his first dive." Walker said he knew what it meant: Mr. Whitworth had stolen his first secrets.

For the next eight years, the two ran a virtual assembly line of espionage, according to prosecutors. Mr. Whitworth, by then a chief en-

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trusted with the cryptographic codes of radio rooms, would secretly photograph or Xerox the code lists and classified messages. He would deliver them to Walker about every six months, who in turn would drop them off for Soviet pickup in suburban Maryland, or exchange them for payment at meetings in Vienna, Austria, or Casablanca, Morocco.

Mr. Whitworth's attorney, James Larson, admitted to the jury Mr. Whitworth's role in the harvesting of Navy intelligence. But he asked them to believe that he thought the secrets were being sold by Walker to Israel, an ally, and not to the Soviet Union.

Sometimes the information was general: Mr. Whitworth briefed Walker about the newest changes in the Navy communication system and provided low-level classified manuals. Sometimes it was very specific: He copied radio reports of U.S. fighter incursions into Soviet airspace and warship forays into waters claimed by Vietnam.

The system worked smoothly as Mr. Whitworth was transferred from the Indian Ocean to the Constellation aircraft carrier, the Niagara Falls supply ship, radio posts in Alameda and Stockton, Calif., and finally to the Enterprise aircraft carrier.

Meanwhile, the cash that flowed back to Mr. Whitworth in return for the photocopies and film canisters fed a stream of purchases by Mr. Whitworth and Brenda Reis, a North Dakota farm girl who had met Mr. Whitworth while on a high school class trip and who married him in 1976.

Although the couple appeared outwardly to have a modest life — their home in Davis, Calif., was a mobile home — they had made a lot of purchases that included paintings, a rare bird, cars, stereos and a Sony Walkman. They used cash often and frequently shuttled currency through multiple bank accounts, safe deposit boxes and cashier's checks to make it hard to trace. Prosecutors said they went through \$332,000 in spy profits.

But by 1983, Mr. Whitworth had had enough. While he was in the Navy, his wife had been working toward a doctoral degree in nutrition, and he promised to relocate when she took a job elsewhere. The cash he had handled convinced Mr. Whitworth he could be a success as a stockbroker or real estate agent, although his investments had actually been disastrous losses.

He quit the Navy that year and delivered the last batch of documents, stolen from the Enterprise, in 1984.